

AMENDMENTS, INCLUDING STATUS OF ALL CLAIMS

In the Claims:

Please replace pending Claims 1, 5, 24, 32-34, and 38-39 with amended Claims 1, 5, 24, 32-34, and 38-39, as follows:

1. (Presently Amended) A portable nutritional data device for reading a machine-readable indicia, comprising:

a portable data processing platform;

means for inputting data;

means for retrievably storing data; and

means for displaying data,

wherein the machine-readable indicia represents nutritional information printed on a package label, wherein said machine reading inputs nutritional information into said portable nutritional data device.

2. (Original) The portable nutritional data device of Claim 1, wherein the machine-readable indicia is the commonly available Nutritional Facts Data.

3. (Original) The portable nutritional data device of Claim 1, wherein the machine-readable indicia is a preprinted bar code contained on a food package.

4. (Original) The portable nutritional data device of Claim 1, wherein said means for inputting data is an optical scanner capable of reading the machine-readable indicia.

5. (Presently Amended) The portable nutritional data device of Claim 1, further comprising ~~wherein said means for inputting data is~~ a keypad.

6. (Original) The portable nutritional data device of Claim 1, wherein said portable data processing platform is a personal data assistant.

7. (Original) The portable nutritional data device of Claim 1, wherein said portable data processing platform is a handheld PC.

8. (Original) The portable nutritional device of Claim 1, wherein said means for displaying data is a screen.

9. (Original) The portable nutritional device of Claim 1, wherein said means for displaying data is a printer.

10. (Original) The portable nutritional device of Claim 1, wherein said means for retrievably storing data is a digital storage medium.

11. (Original) The portable nutritional device of Claim 10, wherein said means for retrievably storing data is read-only-memory.

12. (Original) The portable nutritional device of Claim 10, wherein said means for retrievably storing data is random-access-memory.

13. (Original) The portable nutritional device of Claim 10, wherein said means for retrievably storing data is a data hard drive.

14. (Original) The portable nutritional data device of Claim 1, wherein said means for retrievably storing data further comprises categorical data of recommended daily nutritional allowances.

15. (Original) The portable nutritional data device of Claim 1, wherein said means for retrievably storing data further comprises nutritional data for franchise food items.

16. (Original) The portable nutritional data device of Claim 1, wherein said means for retrievably storing data further comprises nutritional data for fresh food.

17. (Original) The portable nutritional device of Claim 1,

wherein said means for retrievably storing data further comprises categorical data of user-created recipe data.

18. (Original) The portable nutritional device of Claim 1, further comprising user stored personal health information.

19. (Original) The portable nutritional device of Claim 18, wherein said user stored personal health information pertains to diabetes.

20. (Original) The portable nutritional device of Claim 18, wherein said user stored personal health information pertains to high blood pressure.

21. (Original) The portable nutritional device of Claim 18, wherein said user stored personal health information pertains to heart disease.

22. (Original) The portable nutritional device of Claim 1, further comprising a user-selectable audible signal.

23. (Original) The portable nutritional device of Claim 22, wherein said audible signal is activated in response to the exceeding of a maximum acceptable intake level for said specifically managed dietary need.

24. (Presently Amended) The portable nutritional data device of Claim 1, wherein said machine-readable indicia is a readable symbol.

25. (Original) The portable nutritional device of Claim 22, wherein said audible signal is activated in response to allergy inducing edible.

26. (Original) The portable nutritional device of Claim 22, wherein said audible signal is activated in response to potentially drug-interacting edible.

27. (Original) The portable nutritional data device of Claim 1, wherein said portable data processing platform is a calculator.

28. (Original) The portable nutritional data device of Claim 1, wherein said portable data processing platform is a wrist worn computer.

29. (Original) The portable nutritional data device of Claim 1, wherein said portable data processing platform is a mobile communication device.

30. (Original) The portable nutritional data device of Claim 29, wherein said mobile communication device is a cellular telephone.

31. (Original) The portable nutritional data device of Claim 29, wherein said mobile communication device is a paging device.

32. (Presently Amended) The portable nutritional data device of Claim 1, wherein said means for inputting data is a stylus ~~pad~~ device for entering data on a computer surface.

33. (Presently Amended) A portable nutritional data device for reading a machine-readable indicia, comprising:

a portable data processing platform;

an optical scanner capable of reading the machine-readable indicia;

a digital storage medium having read-only-memory, random-access-memory and a data hard drive;

a display; and

a user-selectable audible signal,

wherein the machine-readable indicia is Nutritional Facts Data printed on a product package.

34. (Presently Amended) A method of portable nutritional monitoring, comprising the steps of:

a) scanning a machine-readable indicia, wherein said machine reading of said indicia ~~indicates~~ inputs nutritional information into a digital medium;

b) storing said nutritional information in a digital medium;

c) comparing said stored nutritional information with given user preferred data; and

d) displaying said compared nutritional information to a user.

35. (Original) The method of portable nutritional monitoring of Claim 34, wherein said user preferred data is the United States Recommended Daily Allowance guidelines.

36. (Original) The method of portable nutritional monitoring of Claim 34, wherein said user preferred data is periodic user nutritional limitations.

37. (Original) The method of portable nutritional monitoring of Claim 34, further comprising the step of categorizing said nutritional information.

38. (Presently Amended) The method of portable nutritional monitoring of Claim 34, wherein said machine-readable indicia is the Nutritional Facts Data printed on a product label.

39. (Presently Amended) The method of portable nutritional monitoring of Claim 34, wherein said machine-readable indicia is a bar code containing nutrition facts data.

40. (Original) The method of portable nutritional monitoring of Claim 39, wherein said bar code is contained on a food packaging.